

STATE OF VERMONT
HUMAN SERVICES BOARD

In re)	Fair Hearing No. A-11/09-615
)	
Appeal of)	

INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Family Services Division, denying his request to expunge his name from the child protection registry.

DISCUSSION

On May 12, 2010, the hearing officer submitted a recommendation in this case affirming the Department. Upon receipt of the recommendation, the petitioner obtained a current psychological evaluation that not only addressed his overall mental health but specifically addressed the issue of whether he poses a risk of sexual harm to children.

In his earlier submissions to the Department, petitioner gave information and analysis regarding the psychological counseling he received subsequent to the substantiation. The petitioner filed the updated psychological report with the Board on May 28, 2010. The Board faxed a copy to the Department's assigned attorney that day.

The case came before the Board on June 2, 2010. The current evaluation is germane to whether the petitioner continues to pose a risk to children. The Department's attorney had no objection to remanding the petitioner's case for further consideration by the Department.

OPINION

The petitioner's case is remanded to the Department for further review and consideration of whether the petitioner's name should be expunged from the child protection registry. As part of its consideration, the Department will review the current psychological evaluation as part of their determination.

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